

Senate Bill No. 629

CHAPTER 47

An act to amend Section 405a of, and to repeal Section 405b of, the Penal Code, relating to crimes.

[Approved by Governor July 2, 2015. Filed with Secretary
of State July 2, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 629, Mitchell. Crimes: taking person from lawful custody of peace officer.

Existing law defines a "lynching" as the taking of a person from the lawful custody of a peace officer by means of a riot. Under existing law a person who participates in a lynching is punishable by imprisonment in a county jail for 2, 3, or 4 years.

This bill would provide that the taking of a person from the lawful custody of a peace officer is no longer defined as a "lynching." This bill would provide that a person who participates in the taking of another person from the lawful custody of a peace officer is guilty of a felony, punishable by imprisonment in a county jail for 2, 3, or 4 years.

The people of the State of California do enact as follows:

SECTION 1. Section 405a of the Penal Code is amended to read:

405a. A person who participates in the taking by means of a riot of another person from the lawful custody of a peace officer is guilty of a felony, punishable by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.

SEC. 2. Section 405b of the Penal Code is repealed.